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UBER TECHNOLOGIES, INC., RASIER, LLC,

And RASIER-CA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB (LJC)

**DEFENDANTS' ADMINISTRATIVE
MOTION TO SEAL PERSONAL
IDENTIFYING INFORMATION
CONTAINED IN DEFENDANTS' MOTION
FOR ENTRY OF TWO ORDERS RELATED
TO RECEIPTS AND ACCOMPANYING
DOCUMENTS**

Judge: Hon. Charles R. Breyer

Courtroom: 6 – 17th Floor

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DEFENDANTS' ADMINISTRATIVE MOTION TO SEAL PERSONALLY IDENTIFYING INFORMATION
CONTAINED IN DEFENDANTS' MOTION FOR ENTRY OF TWO ORDERS RELATED TO RECEIPTS

Case No. 3:23-md-03084-CRB (LJC)

DEFENDANTS' STATEMENT IN SUPPORT OF SEALING CONFIDENTIAL MATERIALS

Under Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC ("Uber" or "Defendants") hereby move this Court for an order to seal the personal identifying information ("PII") contained in its Motion for Entry of (1) an Order to Show Cause Why Plaintiffs Who Have Submitted Non-Bona Fide Receipts Should Not Be Dismissed with Prejudice and (2) a Case Management Order Addressing Certain Plaintiffs Who Have Not Submitted Receipts, including all attached exhibits and declarations (altogether, the "Motion") and the accompanying Declaration of Brett D. Harrison and FTI Consulting, Inc. (the "FTI Declaration"). The Motion and FTI Declaration contains PII from materials produced by both Uber and Plaintiffs. The Motion and FTI Declaration is attached as Exhibit A, filed concurrently to this Administrative Motion.

A party seeking to seal a judicial record bears the burden of establishing that "compelling reasons" support that request. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178–79 (9th Cir.2006). Specifically, that party must "articulate[] compelling reasons supported by specific factual findings ... that outweigh the general history of access and the public policies favoring disclosure [of court records], such as the public interest in understanding the judicial process." *Kamakana*, 447 F.3d at 1178–79 (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). "In turn, the [C]ourt must 'conscientiously balance[] the competing interests' of the public and the party who seeks to keep certain judicial records secret." *Id.* (quoting *Foltz*, 331 F.3d at 1135).

Assessment of the public and private interests implicated here warrant sealing this information. Local Rule 79-5(c)(1)(i). Uber in particular seeks to seal the names of Plaintiffs, drivers, and other non-parties contained throughout the Motion and FTI Declaration, as well as home and other addresses,¹ contact information such as phone numbers and email addresses, and financial information. Courts have found that such information "is sealable under the compelling reasons standard." *See, e.g., Kumandan v. Google LLC*, No. 19-CV-04286-BLF, 2022 WL 17971633, at *1–2 (N.D. Cal. Nov. 17, 2022). That is

¹ Uber proposes redacting all addresses, because Uber is not able to assess which addresses are potentially personally identifying.

1 because such information is “not relevant to any of the issues in this litigation, nor would the public have
2 any real interest in its disclosure.” *O’Connor v. Uber Techs., Inc.*, No. C-13-3826 EMC, 2015 WL
3 355496, at *3 (N.D. Cal. Jan. 27, 2015). On the other hand, the public disclosure of the PII contained
4 within the Motion and FTI Declaration could cause significant and avoidable harm or embarrassment to
5 the affected individuals. Moreover, no less restrictive alternative to sealing the PII in the Motion and FTI
6 Declaration is sufficient. Local Rule 79-5(c)(1)(iii). Uber’s request is narrowly tailored to seal only the
7 PII while ensuring that the public retains access to the rest of the Motion and FTI Declaration. This Court
8 may therefore “appropriately balance[]” the privacy interests of the affected individuals with the public’s
9 right to access by allowing redaction of all such PII in the Motion. *O’Connor*, 2015 WL 355496, at *2.

10 CONCLUSION

11 For the foregoing reasons, Uber respectfully requests this Court grant the administrative motion to
12 seal the personal identifying information, specifically the names, addresses, contact information, and
13 financial information, contained in the Motion and FTI Declaration.

DATED: July 30, 2025

Respectfully submitted,

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